

## Article - Natural Resources

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§8–741.

(a) (1) For the purposes of this section the following words have the meanings indicated.

(2) (i) “Marine sanitation device” means any equipment on board a vessel which is designed to receive, retain, treat or discharge sewage and any process to treat sewage on board.

(ii) “Marine sanitation device” includes:

1. Type I marine sanitation device, which produces an effluent having a fecal coliform bacteria count not greater than 1,000 per 100 milliliters and no visible floating solids;

2. Type II marine sanitation device, which produces an effluent having a fecal coliform bacteria count not greater than 200 per 100 milliliters and suspended solids not greater than 150 milligrams per liter; and

3. Type III marine sanitation device, which is certified to a no-discharge standard, including recirculating and incinerating marine sanitation devices and holding tanks.

(3) “Sewage” means:

(i) Human body wastes; and

(ii) The wastes from toilets and other receptacles intended to retain body waste.

(4) “Y valve” means a device capable of diverting the flow of marine sewage so that a vessel’s marine sanitation device is bypassed and raw sewage is discharged directly into the water.

(b) The following vessels equipped with an installed toilet shall be equipped with an operable marine sanitation device:

(1) A vessel 65 feet in length and under shall have a Type I, II, or III marine sanitation device; or

(2) A vessel over 65 feet in length shall have a Type II or III marine sanitation device.

(c) (1) A Type I or Type II marine sanitation device shall have a certification label affixed that at a minimum shows:

- (i) The name of the manufacturer;
- (ii) The name and model number of the device;
- (iii) The month and year of manufacture;
- (iv) The marine sanitation device type;
- (v) A certification number; and
- (vi) A certification statement.

(2) A Type III marine sanitation device is automatically certified, and requires no label, provided it stores sewage and flushwater only, at ambient air temperature and pressure.

(d) (1) While a vessel with an installed toilet is on Maryland waters, the operator shall insure that:

(i) All pathways for overboard discharge of vessel sewage from any vessel with a Type III marine sanitation device are blocked or secured in such a way as to prevent any accidental or intentional vessel sewage discharge, by disconnecting or physically blocking those onboard sewage lines or hull fittings which would allow for overboard vessel sewage discharge; and

(ii) Any installed in-line Y valve shall be secured to prevent the overboard discharge of sewage from any vessel utilizing a Type III marine sanitation device, by bypassing, locking, securing, or disabling the valve using a padlock or nonreusable wire tie wrap, or by removal of the valve handle, or by any other method in accordance with federal regulations and standards or as approved or required by the Department.

(2) The chosen compliance method under paragraph (1)(ii) of this subsection shall totally eliminate the possibility of overboard vessel sewage discharge while in waters of the State. The method chosen shall present a physical barrier to the use of the Y valve, whether accidental or intentional, so that use of the valve cannot occur without the knowledge of the operator of the vessel.

(e) For any vessel offered as a noncaptained charter, the leasing entity shall:

(1) Ensure that the vessel complies with this section when presented to the lessor; and

(2) Include in the lease agreement, signed by the leasing party, a paragraph outlining the operator's responsibilities under this section.

(f) A person who violates a provision of this section is subject to a civil penalty not exceeding \$2,000.

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